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9 **UNITED STATES BANKRUPTCY COURT**  
10 **FOR THE DISTRICT OF NEVADA**

11 In re:

12 **INFINITY CAPITAL MANAGEMENT, INC.**  
13 *dba INFINITY HEALTH CONNECTIONS;*

14 Debtor.

15 Case No. 21-14486-abl  
16 Chapter 7

17 **DECLARATION OF**  
18 **ROBERT E. ATKINSON**

19 I, Robert E. Atkinson, hereby declare as follows:

20 1. I am over the age of 18 and have personal knowledge of the facts stated herein.

21 Such personal knowledge is based upon the records obtained in this case, my own  
22 investigations, and discussions with my counsel. I am competent to testify to the same.

23 2. I make this Declaration in support of my Reply, filed contemporaneously  
24 herewith.

25 3. HASelect and Tecumseh have been cooperating for weeks to identify a servicer  
26 for the Tecumseh Receivables, including a tacit agreement to set aside all recoveries pending  
27 the outcome of the AP Case, via escrow or some other mechanism. A proposal from a  
servicer dated October 2021 was circulated by HASelect's counsel to Tecumseh's counsel on  
November 19, 2021. That proposal included a one-time up-front fee of \$30,000.

28 4. HASelect has expressly represented to me that if they are the winning bidder,  
they will set aside all recoveries (after the costs of a servicer are deducted), pending the  
outcome of the AP Case. I have no issue with the Court making this set-aside a condition of  
the sale, to address any lingering/latent adequate protection issues.

5. The APA was negotiated between HASelect and me at arms-length, with lots of back-and-forth regarding terms. No fraud or collusion exists in the proposed sale, and HASelect does not have a grossly unfair advantage over other bidders.

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I declare under penalty of perjury that the foregoing is true and correct, to the best of my knowledge, information, and belief. 

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ROBERT E. ATKINSON